

HONOURABLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No. 13311 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in Cr.No. 967 of 2016 on the file of Vigilance & APTS Police Station, Rajamahendravaram, EG District, registered for the offences punishable under Section 135 of the Electricity Act, 2003.

Heard the learned counsel appearing for the petitioner/Accused No.2, and the learned Additional Public Prosecutor, representing the State.

Having heard the learned Counsel on either side and gone through the material available on record, it is obvious that specific allegations were made against the petitioner/Accused No.2 in the complaint. This is a matter which requires investigation by the police. The truth or otherwise of the allegations can only be decided during course of investigation or trial. I see no ground to interdict the investigation at this stage and quash the first information report.

Considering the facts and circumstances of the case and as requested by the learned counsel for the petitioner, the Criminal Petition is disposed of, directing the investigating agency to proceed with the investigation and follow the procedure stipulated under Section 41-A Cr.P.C. scrupulously, however, without arresting the petitioner/Accused No. 2 in the above crime, till the investigation is completed and the charge sheet is filed. The

petitioner/Accused No.2 shall appear before the investigating agency as and when required/summoned during course of investigation and cooperate with the investigating agency for early completion of the investigation.

Miscellaneous petitions pending consideration if any in the Criminal Petition shall stand closed in consequence. No order as to costs.

JUSTICE M.S.K. JAISWAL

DATED 19th September, 2016.
Note: CC in two days
(BO) Msnr_x

